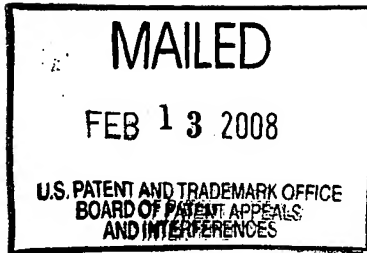


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte JAMES A. HOFF

Application 10/602,905

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on February 5, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER requesting submission of a revised Examiner's Answer correcting the "Evidence Relied Upon" section was mailed on July 6, 2006. In response, a revised Examiner's Answer was mailed on September 11, 2006. A Reply

Brief was filed on October 10, 2006 and another Examiner's Answer was mailed on February 14, 2007. This latest Answer is being treated as a Supplemental Examiner's Answer and is deficient pursuant to § 1207.05 of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 3, August 2005) which states that "[e]very supplemental examiner's answer must be approved by a Technology Center (TC) director or designee." It should be noted that TC 3700 only allows approval by the Director. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for obtaining a Technology Center (TC) Director's signature on the Supplemental Examiner's Answer mailed February 14, 2007; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
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PJN:psb

Application 10/602,905

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